



Entered on Docket  
March 14, 2011

  
Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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Attorneys for Secured Creditor BANK OF AMERICA, NATIONAL ASSOCIATION AS  
SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED  
SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES 2006-HE8

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

JONELLA R. BROWN,

Debtor(s).

Bankruptcy Case No. BK-S-10-30246-mkn  
Chapter 13

BANK OF AMERICA, NATIONAL  
ASSOCIATION AS SUCCESSOR BY  
MERGER TO LASALLE BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
CERTIFICATEHOLDERS OF BEAR  
STEARNS ASSET BACKED SECURITIES I  
LLC, ASSET-BACKED CERTIFICATES,  
SERIES 2006-HE8'S ORDER TERMINATING  
AUTOMATIC STAY

Date: March 2, 2011

Time: 1:30 P.M.

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1           A hearing on Secured Creditor Bank of America, National Association as  
2 successor by merger to LaSalle Bank National Association, as Trustee for Certificateholders of  
3 Bear Stearns Asset Backed Securities I LLC, Asset-Backed Certificates, Series 2006-HE8's  
4 Motion for Relief From the Automatic Stay came on regularly for hearing in the United States  
5 Bankruptcy Court before the Honorable Mike K. Nakagawa, Matthew M. McArthur appearing  
6 on behalf of Secured Creditor.

7           The court having duly considered the papers and pleadings on file herein and  
8 being fully advised thereon and finding cause therefor:

9           **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

10           The automatic stay of 11 United States Code section 362 is hereby immediately  
11 terminated as it applies to the enforcement by Movant of all of its rights in the real property  
12 under the Note and Deed of Trust encumbering the real property commonly known as 6435  
13 Newville Avenue, Las Vegas, Nevada 89103 ("Real Property"), which is legally described as:

14           LOT SIX (6) IN BLOCK EIGHT (8), OF  
15           AMERICAN WEST UNIT NO. 2, AS SHOWN BY  
16           MAP THEREOF ON FILE IN BOOK 15 OF  
17           PLATS, PAGE 88 IN THE OFFICE OF THE  
18           COUNTY RECORDER OF CLARK COUNTY,  
19           NEVADA.

20           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Movant and/or  
21 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale  
22 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days  
23 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at  
24 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the  
25 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada  
26 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to  
27 provide 7 days' notice to the Debtor(s).

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may  
2 offer and provide Debtor with information re: a potential Forbearance Agreement, Loan  
3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and  
4 may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to  
5 enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this  
6 bankruptcy case.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon entry of  
8 this Order, the Trustee shall cease payment on Secured Creditor's Proof of Claim. Secured  
9 Creditor's Proof of Claim is allowed in t he amount of payments made to date by the Trustee.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon  
11 disposition of the Real Property, Secured Creditor may amend said Proof of Claim and share in  
12 any distribution from the date of the filing of the amended Claim pursuant to the confirmed Plan.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee is  
14 not required to recover previous distributions from other creditors for distribution on Secured  
15 Creditor's amended claim. This may result in a percentage of payment on Secured Creditor's  
16 amended Claim different than to other creditors.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall  
18 be binding and effective and supersede any subsequently entered confirmation order that  
19 confirms a Chapter 13 Plan of Reorganization providing for the treatment of Movant's claim.

20 APPROVED/DISAPPROVED APPROVED/DISAPPROVED  
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 DAVID KRIEGER RICK A. YARNALL  
23 DEBTOR(S) ATTORNEY TRUSTEE

24 /././

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1 In accordance with LR 9021, counsel submitting this document certifies that the order accurately  
2 reflects the court's ruling and that (check one):

3  The court has waived the requirement set forth in LR 9021(b)(1).  
4  No party appeared at the hearing or filed an objection to the motion.  
5  I have delivered a copy of this proposed order to all counsel who appeared at the hearing,  
6 and any unrepresented parties who appeared at the hearing, and each has approved or  
7 disapproved the order, or failed to respond, as indicated below [list each party and whether the  
8 party has approved, disapproved, or failed to respond to the document]:

9  Approved.  
10  Disapproved.  
11  Failed to respond.

12  
13  I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order  
14 with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of  
15 the order.

16 #####

17 Submitted by:

18 /s/ MATTHEW M. MCARTHUR  
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22 ASSOCIATION AS  
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24 ASSOCIATION, AS TRUSTEE  
FOR CERTIFICATEHOLDERS  
25 OF BEAR STEARNS ASSET  
BACKED SECURITIES I LLC,  
ASSET-BACKED  
26 CERTIFICATES, SERIES 2006-  
HE8  
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